

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

IN RE: MOJTABA FARDADFAR)
AKA MANI FARDADFAR)
) Case No. 12-14318-NLJ
) Chapter 13
DEBTORS.)

**AMENDED APPLICATION FOR ORDER
NUNC PRO TUNC**

COMES NOW **RAYMOND E. MARTIN**, or its successors or assigns, ("Applicant") and makes application to the court for an order nunc pro tunc correcting the Order of Abandonment and Lifting Stay entered on May 3, 2013, to correct the legal description of the property also known as 2444 N.W. 36th, Oklahoma City, Oklahoma.

Due to a scriviner's error the Applicant wrongfully identified the legal description of the property also known as 2444 N.W. 36th, Oklahoma City, Oklahoma. That by inadvertence and mistake, the Order of Abandonment and Lifting Stay recited as follows:

IT IS THEREFORE ORDERED that the stay is lifted as to Lots Twenty-Two (22) and Twenty-three (23), of Block One in Milam Place Addition, to Oklahoma City, Oklahoma, according to the recorded plat thereof aka 2933 NW 22nd, Oklahoma City, Oklahoma and All of Lots Twelve (12) and Thirteen (13) in Block One (1), in the subdivision of Lot 8 in West Point Addition, Oklahoma City, Oklahoma, according to the recorded plat thereof aka 2337 NW 36th, Oklahoma City, Oklahoma immediately and conditionally abandoned with the Trustee retaining an interest to any excess proceeds after payment of any outstanding ad valorem taxes and the payoff of the first mortgage to Ray Martin.

IT IS FURTHER ORDERED The stay will be lifted as to all of Lots Twelve (12) and Thirteen (13) in Block One (1), in the subdivision of Lot 8 in West Point Addition, Oklahoma City, Oklahoma, according to the recorded plat thereof aka 2444 NW 36th, Oklahoma City, Oklahoma and 8008 N.W. 8th Unit 281 Thousand Oaks Condominium a unit ownership estate in Oklahoma City, Oklahoma aka 8008 N.W.8th, Unit 281, Oklahoma City, Oklahoma, and conditionally abandoned after the expiration of thirty (30) from the date of this order for relief. The Trustee shall retain an interest in these two properties as to any excess sale proceeds after payment of any outstanding ad valorem taxes and the first mortgage to Ray Martin including, but not limited to, payment of ad valorem taxes, fees and

costs. In the event any of the above referenced properties are sold, any excess sale proceeds after the payment of Ray Martin's debt, ad valorem taxes and any court costs, shall be distributed to the Chapter 13 Trustee via an Order of Disbursement to be filed by the creditor.

But that in truth and in fact Order of Abandonment and Lifting Stay should recite is as follows:

IT IS THEREFORE ORDERED that the stay is lifted as to Lots Twenty-Two (22) and Twenty-three (23), of Block One in Milam Place Addition, to Oklahoma City, Oklahoma, according to the recorded plat thereof aka 2933 NW 22nd, Oklahoma City, Oklahoma and All of Lots Twelve (12) and Thirteen (13) in Block One (1), in the subdivision of Lot 8 in West Point Addition, Oklahoma City, Oklahoma, according to the recorded plat thereof aka 2337 NW 36th, Oklahoma City, Oklahoma immediately and conditionally abandoned with the Trustee retaining an interest to any excess proceeds after payment of any outstanding ad valorem taxes and the payoff of the first mortgage to Ray Martin.

IT IS FURTHER ORDERED The stay will be lifted as to all of Lots Twenty Nine (29) and Thirty (30) in Block Four (4), in the Wahldale Addition, Oklahoma City, Oklahoma, according to the recorded plat thereof, aka 2444 N.W. 36th, Oklahoma City, Oklahoma and 8008 N.W. 8th Unit 281 Thousand Oaks Condominium a unit ownership estate in Oklahoma City, Oklahoma aka 8008 N.W. 8th, Unit 281, Oklahoma City, Oklahoma, and conditionally abandoned after the expiration of thirty (30) from the date of this order for relief. The Trustee shall retain an interest in these two properties as to any excess sale proceeds after payment of any outstanding ad valorem taxes and the first mortgage to Ray Martin including, but not limited to, payment of ad valorem taxes, fees and costs. In the event any of the above referenced properties are sold, any excess sale proceeds after the payment of Ray Martin's debt, ad valorem taxes and any court costs, shall be distributed to the Chapter 13 Trustee via an Order of Disbursement to be filed by the creditor.

WHEREFORE, the Applicant prays that the Court enter an Order Nunc Pro Tunc correcting the Order of Abandonment and Lifting Stay entered on May 3, 2013, to recite the correct legal description associated with the property also known as 2444 N.W. 36th, Oklahoma City, Oklahoma.

RAYMOND E. MARTIN

BY: s/ Kelly M. Parker
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Attorney for Applicant

CERTIFICATE OF SERVICE

I hereby certify that on 29th day of July, 2013, a true and correct copy of the Application for Order Nunc Pro Tunc was electronically served using the CM/ECF system, namely:

Atefeh E. Borghei
borgheilaw@gmail.com

John T. Hardeman
Chapter 13 Trustee

United States Bankruptcy Trustee

Further I certify that on the 16th day of February, 2012 copies of the Application for Order Nunc Pro Tunc were forwarded via U.S. Mail, first class, postage prepaid and properly addressed to the following at the addresses shown below:

Mojtaba Fardadfar
3629 N. Drexel Blvd.
Oklahoma City, OK 73112-6628

s/Kelly M. Parker
KELLY M. PARKER